



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2011-0431 V3

TO: Mayor and City Council Members

FROM: Ed Anzek, Director of Planning and Economic Development, ext. 2572

DATE: March 23, 2012

SUBJECT: Acceptance for First Reading – An Amendment to Chapter 138, Zoning Code, Official Zoning Map, of the Code of Ordinances of the City of Rochester Hills to Rezone two vacant parcels totaling approximately 7.3 acres, located on Dequindre, south of Washington, from RE, Residential Estate to R-1, One Family Residential, Applicant: The City of Rochester Hills

REQUEST:

Accept for First Reading the request to Rezone two parcels of land on Dequindre, south of Washington from RE, Residential Estate, to R-1, One Family Residential. The subject parcels are zoned and master planned single-family. The parcels to the north are zoned R-1; to the west it is RE; to the south, in Rochester, the zoning is similar to our R-2 zoning; and to the east, in Shelby Township, the zoning is similar to our R-2 district. All are developed or platted for development with homes.

BACKGROUND:

The property owner originally appeared before the Planning Commission and City Council in late 2006 and received Approval of a Preliminary Site Condominium Plan called Little Winkler Estates comprised of ten units to be developed under the R-1, One Family Residential standards. The Approval lapsed due to economic conditions and in 2009, the City adopted a new Zoning Ordinance and map that changed the zoning of the parcels to RE, Residential Estate. The R-1 district requires a minimum lot area of 20,000 square feet (a little less than one-half an acre), while the RE district requires a one-acre (43,560 square feet) minimum lot area.

In the 2009 Zoning Ordinance rewrite a new category of Residential Estate (RE) was added to protect groupings of large lot developments in which they are located. Most of the RE areas are located in the northeast, north central, and the area immediately west of city hall.

In mid 2011, the property owners met with staff to reactivate Little Winkler Estates and move forward with the Final Site Condominium Plan Approval. Upon further review the applicants were advised that the development had expired and would need to go through a re-start or re-approval process. It was soon realized that in the interim, the City changed the zoning and with minimum lot sizes of 1 acre, the number of potential units would be reduced from 10 to 5. During Staff's review of the closest and surrounding developments in Rochester Hills, the City of Rochester and Shelby Township, it showed lots similar to R-1 or R-2 zoning (map will be shown at the meeting). Another factor that supported a zoning density of R-1 is the fact that this site is accessed from Dequindre Road; not Washington Road as the other RE parcels are in this general area. Staff concluded that R-1 lots would be more compatible in density with surrounding development than the current RE

zoning, and that a Rezoning back to the original R-1 designation would be the appropriate action for this site to be developed in a compatible manner similar to the adjacent developments. As such this Rezoning has been initiated by staff as representatives of the City.

Staff, along with the property owner, appeared before the Planning Commission on October 4, 2011 to discuss the density of the area and what would be the appropriate Zoning Designation for this 7 acre tract. After reviewing a map with densities of the surrounding areas (attached), the Planning Commissioners provided their support in favor of rezoning the parcels back to R-1 zoning; it's designation prior to 2009. A table showing the parcel sizes for Winkler Mill Estates is also included to demonstrate that the size of the parcels are of the 20,000 square foot size; an R-1 requirement.

At the November 1, 2011, meeting, staff presented the request as applicant to the Planning Commission. The Commission reviewed this matter, conducted a Public Hearing, and recommended Approval of the request to Rezone the parcels from RE to R-1. The discussion included the consideration of all uses that could be permitted under RE zoning, which are identical to R-1 zoning.

The Future Land Use map calls for Residential Estate land uses at this site. However, in this instance, we believe there are credible reasons to consider deviating from the recommendation of the Master Plan. These reasons include the fact that existing residential development on lots 20,000 square feet or smaller already exists on three sides of the site and that the site's access is from Dequindre as contrasted with Washington Road.

RECOMMENDATION:

The Planning Commission and Staff believe that the subject parcels are in an appropriate location for R-1 zoning and recommend approval of the proposed Rezoning request.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		